


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY  D.C.
05 MAY 24 AM 6:38

ROBERT J. HOLT
CLERK, U.S. DIST. CT.
W. D. OF TN, MEMPHIS

JOHN SPAIN,

Plaintiff,

vs.

WAL-MART STORES, EAST, L.P.,

Defendant.

Civ. No. 05-2240-M1/P

SCHEDULING ORDER

Pursuant to Rule 26(f), the parties held a planning conference on May 18, 2005. Present were Melissa Holt Yopp, counsel for plaintiff, and Clinton J. Simpson, counsel for defendant. At the conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO Fed.R.Civ.P. 26(a)(1):
June 10, 2005

JOINING PARTIES: July 26, 2005

AMENDING PLEADINGS: July 26, 2005

INITIAL MOTIONS TO DISMISS: August 26, 2005

COMPLETING ALL DISCOVERY: January 27, 2006

(a) DOCUMENT PRODUCTION: November 25, 2005

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 5-24-05

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(b) INTERROGATORIES AND REQUESTS FOR ADMISSIONS:
November 25, 2005

(c) DEPOSITIONS: January 27, 2006

(d) EXPERT WITNESS DISCLOSURE (Rule 26):

(1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT
INFORMATION: November 25, 2005

(2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT
INFORMATION: December 27, 2005

(3) EXPERT WITNESS DEPOSITIONS: January 27, 2006

FILING DISPOSITIVE MOTIONS: February 24, 2006

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for a jury trial. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge. It is anticipated that the trial will last approximately two (2) days.

This case may be appropriate for ADR. The parties are to appear before Magistrate Judge Pham on Thursday, August 18, 2005, at 9:30 a.m., for a status conference to discuss the possibility of ADR.

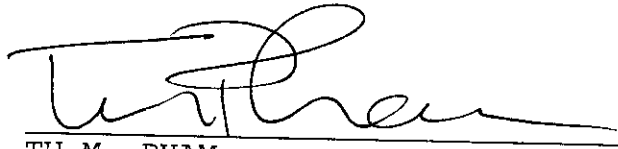
The parties have not consented to trial before the magistrate judge.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.



TU M. PHAM

United States Magistrate Judge

5/23/05
Date



Notice of Distribution

This notice confirms a copy of the document docketed as number 4 in case 2:05-CV-02240 was distributed by fax, mail, or direct printing on May 24, 2005 to the parties listed.

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Honorable Jon McCalla
US DISTRICT COURT